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11 Attorneys for Defendant U.S. Bank Trust National Association,  
12 in its capacity as Indenture Trustee

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

17 FINISAR CORPORATION, a Delaware corporation.

Plaintiff,

v.

20 U.S. BANK TRUST NATIONAL  
21 ASSOCIATION, a national banking association,  
22 not in its individual capacity, but solely in its  
23 capacity as Indenture Trustee on behalf of all  
24 Holders of Finisar Corporation's 5 $\frac{1}{4}$ %  
25 Convertible Subordinated Notes due 2008, 2 $\frac{1}{2}$ %  
Convertible Senior Subordinated Notes due 2010,  
and 2 $\frac{1}{2}$ % Convertible Subordinated Notes due  
2010, and DOES 1 through 10, inclusive,  
Defendants.

Case No. 07-04052 JF (PVT)

**DEFENDANT'S REQUEST TO  
APPEAR AT CASE MANAGEMENT  
CONFERENCE BY TELEPHONE**

Date: November 30, 2007  
Time: 10:30 a.m.  
Location: Courtroom 3

1 Pursuant to Northern District of California Local Rule 16-10(a), and the Clerk's Notice filed  
 2 on September 10, 2007, Michael B. Fisco, counsel for Defendant U.S. Bank Trust National  
 3 Association, respectfully requests permission to appear and participate telephonically at the Case  
 4 Management Conference in the above-captioned matter, currently set for November 30, 2007 at  
 5 10:30 a.m. Defendant's counsel Eva K. Schueller will appear in person.

6 Dated: November 21, 2007

**MORRISON & FOERSTER LLP**

8 By /s/ D. Anthony Rodriguez  
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 28 as Indenture Trustee